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**MEMORANDUM**

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**DATE:** DECEMBER 4, 2009

**TO:** DANA REED, TOWN MANAGER  
PLANNING BOARD MEMBERS

**FROM:** ANNE KRIEG, PLANNING DIRECTOR

**RE:** DECEMBER 9, 2009 JOINT WORKSHOP BETWEEN TOWN COUNCIL AND PLANNING BOARD REGARDING THE TOWN HILL MINI-PLAN

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Please accept this memorandum and the attached document for background materials for the December 9, 2009 workshop between the Planning Board and the Town Council (the group). The purpose of this meeting is to continue policy discussions on the Town Hill mini-plan (mini-plan) and the goal is to reach agreement on the policy statements.

As a reminder, this mini-plan was derived from direction from the 2007 Comprehensive Plan (comp plan) to further define Town Hill Village and does not seek to deviate from other policy statements in the Comprehensive Plan. The mini-plan has language from the comp plan inserted within it as this reminder. The group should know that these policy statements can be modified as they see fit; but they will need to be formally modified as part of any Ordinance amendments.

The group should also be reminded that the Town Hill Village (the Village) does not include the remainder of Route 102 known as Red Rock Corner or extending further towards the head of the island.

Attached is a document that revises the Implementation of the Plan portion of the mini-plan. The two areas that required attention were the minimum building size requirement and language on wastewater management. The language has been modified to increase the building size to 15,000 SF for discussion. Wastewater management language was also modified to reduce the likelihood of planning for a public wastewater management system in the future for this area.

At the beginning of the meeting I will present a short PowerPoint presentation of scale. The original number in the mini-plan of 10,000 SF maximum building size was derived from the existing square footage of individual buildings in the area. Public opinion at the time of both the comp plan and the mini-plan preparation was to keep the existing scale; this sentiment drove the staff recommendation for 10,000 SF. Also notable is the decision whether the building cap is the size of the building or the footprint. For example the Downeast Horizons building in Route 3 has less than 10,000 SF as its footprint, as does the Log Cabin Restaurant. If the group agrees that 15,000 SF is the footprint amount for a maximum, then this translates to an increase in scale to the area and is a new policy direction. These meetings are to determine policy for the documents so the group should not necessarily view their decision as negative to the process; however, there should be recognition that this may be a change from previously expressed public sentiment.

On wastewater management, the best source is the federal Environmental Protection Agency (EPA). The best document for local officials on wastewater management and new systems can be found here:

[http://www.epa.gov/owm/septic/pubs/septic\\_its\\_your\\_choice.pdf](http://www.epa.gov/owm/septic/pubs/septic_its_your_choice.pdf)

BAR HARBOR PLANNING DEPARTMENT  
12.9.09 WORKSHOP

This was a fairly large document at 84 pages so the URL is provided instead of the document. It is worth the time to read to help educate the group in this area.

It remains a staff recommendation to fund in a future fiscal year a study of the area to plan for wastewater management. There are many parcels either undeveloped or underutilized (in zoning) that will likely be developed in the next decade. This part of Bar Harbor saw the most rapid rate of growth than any other part of the municipality. There is no indication, other than the current national market condition, that this will change. The purpose of this mini-plan is to direct that growth over the next 10 years and also to prepare for more long-range planning beyond 10 years. One of the control points for that growth is septic disposal. It is known from the scientific modeling the town has supported that the soil conditions may not support water quality at a full build out. If the Town is directing growth in the Town Hill area as the past markets suggest, then a plan for waster management in the next 20 (or 30) years is necessary.

In terms of process, the results from this workshop will be translated into a fully revised mini-plan, as well as the companion land use ordinance amendments for the Village (only). These will be reviewed by the group separately at your first meetings in January 2010. If there remains conflict, then another workshop will be called. In any event, staff will work towards meeting the timeline for deadlines for the June 2010 Town Meeting warrant.

Public input should also factor into this final stage. It is recommended that staff hold a public workshop to receive input on this current work on January 4<sup>th</sup>, 2010. Comments from this workshop will be available to the group at your subsequent meetings that week. Again, if conflict remains, then a decision will have to be made about subsequent meetings or further modifications to the mini-plan. The public should be encouraged to submit comments in writing (including email) in addition to attending the noted workshop.

I look forward to finalizing the policy statements with the group and implementing the mini-plan with ordinance changes and budget requests. Thank you for your support during this process. I appreciate the attention and the hard work from the group.

amk